IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 4833 of 2004

Between:

1 Ch. Upender Rao, S/o Late Chandraiah,
R/o 1-12-162, North Lalaguda, Secunderabad.
2 N. Raju, s/o Sri N. Mallesham,
Kushaiguda, Secunderabad. **..... PETITIONERS**

AND

1 The Union of India, rep. by its Secretary,
Ministry of Law, Shastri Bhawan, R.P. Road, New Delhi.
2 The Vice President & Authorised Officer, ING VYSYA BANK LTD,
27 to 39, 1 floor, Neelgiri Block, Aditya Enclave, Ameerpet,
Hyderabad. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or Direction, striking down the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, and Striking down the Provisions of Section 13, 15 and 34 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, and "QUASH' the Notice dated 6-1-2004 issued by the Respondent No.2 Bank, under section 13(2) of the Said act, and "consequently" stay all further proceedings pursuant to the said Notice dated 6-1-2004 issued by the respondent No.2 Bank

W.P.M.P. No. 6326 of 2004

Petition under Section 151 CPC to grant stay of all further proceedings pursuant to the notice dated 6.1.2004 issued by the respondent No. 2 under Section 13(2) of the securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, pending W.P no. 4833 of 2004 on the file of the High Court.

Counsel for the Petitioner: MR.M.NAGA RAGHU

Counsel for the Respondent No.1: MR.A.RAJASHEKAR REDDY (SC FOR CG)

Counsel for the Respondent No.2: Mr. Addepalli Suryanarayana,
The Court made the following :

To

1 The Secretary, Union of India, Ministry of Law, Shastri Bhawan, R.P. Road, New Delhi.
2 The Vice President & Authorised Officer, ING VYSYA BANK LTD,
27 to 39, 1 floor, Neelgiri Block, Aditya Enclave, Ameerpet, Hyderabad.

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